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Letter dated 23 March 2012 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I am writing with reference to the letter dated 24 February 2012 from the Permanent Representative of the Republic of Armenia (A/66/708-S/2012/117), which, in both form and content, presents a provocative attempt to respond to my letter of 17 February 2012 relating to the twentieth anniversary of the bloody reprisals by the Armenian armed forces against the Azerbaijani population of the town of Xocali (A/66/704-S/2012/105).

Significantly, the said letter from the Permanent Representative of Armenia has as its attachment a statement made in the name of the puppet separatist regime unlawfully established by Armenia in occupied territory of the Republic of Azerbaijan. The mere act of propagating in this manner the existence of a separatist formation which is ultimately nothing other than the product of aggression and racial discrimination graphically demonstrates Armenia's stubborn refusal to comply with the obligations incumbent on it under international law and to abide by universally recognized standards of civilized behaviour.

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Clearly, both the letter from the Permanent Representative of Armenia and the substance of its attachment constitute yet another instance of the blatant falsification resorted to by the Armenians in their endeavour to deny their guilt and responsibility for the crimes committed during their campaign of aggression against peace and humanity. The reasoning behind the Armenian propaganda explaining the massacre of the peaceful Azerbaijani population of Xocali is based on the absurd aspiration, which flies in the face of common sense, to represent matters in such a manner as if it were the Azerbaijanis themselves who allegedly obstructed the evacuation of the civilian population from the area of military hostilities and, even worse, gunned down their own fellow countrymen, in order to exploit the large numbers of civilian casualties for their own internal political ends. There are more than sufficient facts which refute these vile and nefarious fabrications and these have repeatedly been brought to the attention of the international community.

Thus, in his letter dated 24 March 1997 addressed to the Minister for Foreign Affairs of Armenia, the Executive Director of Human Rights Watch/Helsinki responded as follows to attempts by the Armenian propaganda machine to obfuscate this human rights organization with its fabrications:

> "Our research and that of the Memorial Human Rights Center found that the retreating militia fled Khojaly along with some of the large groups of fleeing civilians. Our report noted that by remaining armed and in uniform, the Azerbaijani militia may be considered as combatants and thus endangered fleeing civilians, even if their intent had been to protect them.
>
> "*Yet we place direct responsibility for the civilian deaths with Karabakh Armenian forces. Indeed, neither our report nor that of Memorial includes any evidence to support the argument that Azerbaijani forces obstructed the flight of, or fired on Azeri civilians.*" (Our italics) (Full text of the letter from the Executive Director of Human Rights Watch/Helsinki may be found on the organization's website: http://www.hrw.org/news/1997/03/23/response-armenian-government-letter-town-khojaly-nagorno-karabakh)

The Armenian author Markar Melkonian, who dedicates his book to the "glorious road" followed by his brother — the notorious international terrorist Monte Melkonian, who personally took part in the assault on Xocali — describes in detail how Armenian soldiers butchered the peaceful inhabitants of this town. Thus, as he puts it, some inhabitants of Xocali had almost made it to safety, after fleeing for nearly six miles, when "[Armenian] soldiers had chased them down". The soldiers, in his words, "unsheathed the knives they had carried on their hips for so long, and began stabbing." (Markar Malkonian, *My Brother's Road: An American's Fateful Journey to Armenia* (London and New York: I. B. Tauris, 2005), pp. 213-214).

It should be noted that, in his comments, the Permanent Representative of Armenia passes in silence not only over the abundant evidence left by witnesses to the tragedy and the findings of independent investigations by foreign journalists, human rights activists and authoritative international non-governmental organizations, but also the public admission by the President of Armenia, Serzh Sargsyan. To refresh the memory of Armenian diplomats and other participants in that deplorable campaign of slander and vilification, we are obliged once again to draw attention to the revelations made by the current Armenian head of State.

Thus, in his interview with the British journalist Thomas de Waal of 15 December 2000, Serzh Sargsyan had no qualms about admitting that, "before Khojali, the Azerbaijanis thought that ... the Armenians were people who could not raise their hand against the civilian population. We were able to break that [stereotype]." (Thomas de Waal, *Black Garden: Armenia and Azerbaijan through Peace and War* (New York and London: New York University Press, 2003), p. 172). Recently, some 12 years later, Thomas de Waal published the full transcript of that interview, the contents of which offer the most effective rebuff to the fabrications of Armenian propaganda (see http://carnegieendowment.org/2012/02/24/president-interview-and-tragic-anniversary/9vpa). Take, for example, the following words by Serzh Sargsyan, which need no further comment:

> "Yes, it's true that there were civilians in Xocali. But there were also soldiers together with the civilians. And when a shell flies through the air, it doesn't distinguish between civilian and soldier, it has no eyes. If the civilian population remains behind, even when they have a perfectly good opportunity to leave, it means that they are also taking part in the hostilities ..."

We are struck not only by the cynicism with which the President of Armenia talks of the mass murder of entirely innocent people, but also by the glaring omission in his education, unpardonable for a person who by virtue of his official position should have a very clear understanding of the scope of his decisions and actions. Serzh Sargsyan would most probably refrain from voicing such revelations if he were aware of the universally recognized laws of the conduct of military operations, including, above all, those mandating that a clear distinction be maintained between civilians and combatants and also prohibiting attacks of an indiscriminate nature. Having made the incontrovertible observation that an artillery shell flying through the air has no eyes, the head of the Armenian State could hardly then dispute the fact that those who choose the target and fire the shell against it are the ones with eyes.

The Armenian President also debunks the myth about the corridor allegedly left open by the assailants for the civilian population of Xocali. Thus, answering the interviewer's question on this issue, Sargsyan readily concedes that "generally speaking, this was after Xocali", since at the time "there was a certain amount of ethnic cleansing", as "it's impossible to do this any other way". In answer to de Waal's question as to whether things could have happened differently and whether he had any regrets about the death of thousands of people, the Armenian head of State answers quite unabashedly that "he has absolutely no regrets", since "such upheavals are necessary, even if thousands have to die".

Serzh Sargsyan also openly admits that the war was unleashed by Armenia and that its aim was a long nurtured plan to seize Azerbaijani territory. Furthermore, he asserts that, during the active military phase of the conflict, it was precisely the Armenian side which blatantly ignored the demands by the Security Council for an immediate halt to all military operations and hostilities, with a view to establishing a lasting ceasefire. At a time when there was a real possibility of halting the bloodshed and saving the lives of thousands of people, the Armenian leaders reasoned otherwise. The following words by President Sargsyan speak for themselves:

> "We embarked once on a war like this, but I don't think we could do it a second time. It would be simply impossible. It might be possible, perhaps, in

some fifty or a hundred years' time. But when you say to a soldier: Stand back, he won't move forward again. There were no solid guarantees. Look, they were saying, first let's give up the territory, then we can review the situation. But why should they review the situation? Why? It made no sense".

The poorly concealed nervousness of the Armenians and the energy that they devote to deluding the international community about the events in Xocali and other crimes committed during Armenia's war of aggression against Azerbaijan are all too easy to explain.

First, it is well known that both the present and former presidents of Armenia, Serzh Sargsyan and Robert Kocharian, together with many other high-ranking officials of this State and leaders of the puppet separatist regime set up by Armenia in occupied territory of Azerbaijan, personally participated in seizing Azerbaijani land and in the bloody reprisals against civilian population. It is clear that, given the scale and gravity of the offences which they committed, the criminal prosecution of these persons would be an inevitable consequence of their evil deeds.

Second, the premeditated massacre of the civilian population and defenders of the town of Xocali was not an isolated or sporadic act, but part of the widescale and systematic policy and practice of violence waged by Armenia, driven by its annexationist ambitions and odious notions of racial and religious intolerance. In this sense, the Armenian leaders and the separatist chiefs who answer to them have much in common with the perpetrators of the unprecedented atrocities of the Second World War. We should note in particular, that the massacre in Xocali and other serious crimes committed against the Azerbaijanis during the conflict definitively dispel the myth of Armenia as an eternal victim. It is also clear that, seen against this backcloth, Armenia's attempts to represent its actions as exercise of its right to self determination are utterly discredited.

We are convinced that sustained measures undertaken at the national level, together with the existing legal foundations for the judicial prosecution and punishment of these most serious crimes, which have so alarmed the international community, will help in ending the impunity enjoyed by Armenia for the crimes of aggression that it has committed against Azerbaijan.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 35, 39, 65, 67, 69, 83 and 84, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative